

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Donna Streier,

Plaintiff,

v.

Genpact LLC,

Defendant.

Court File No.: \_\_\_\_\_

**Complaint**

**Jury Trial Demanded**

**PARTIES**

1. Donna Streier is an individual who lives in Winona, Minnesota and is a “person” as defined by 47 U.S.C. § 153(39).
2. Genpact LLC is a debt collector with a registered office in Minnesota at 6040 Earl Brown Drive in Brooklyn Center.
3. Genpact is a “person” as defined by 47 U.S.C. § 153(39).

**JURISDICTION**

4. Jurisdiction arises under 28 U.S.C. § 1331 and under 47 U.S.C. § 227.
5. Venue is proper in this district because the events giving rise to Streier’s claims occurred here and Genpact and Streier reside here.

## **FACTUAL ALLEGATIONS**

6. Streier has a cellular telephone number of 863-398-3333, which is assigned to a cellular telephone service as specified in 47 U.S.C. § 227(b)(1)(A)(iii).
7. Streier does not have an account with Genpact and never provided Genpact with express consent to use an automatic telephone dialing system to call her.
8. Despite this, Genpact called Streier's cellular phone using an automated telephone dialing system as that term is defined by 47 U.S.C. § 227(a)(1).
9. In fact, Genpact called Streier's cellular phone at least 90 times from January 15, 2015 until February 11, 2015.
10. Multiple times, Streier answer Genpact's calls. On each of these occasions, there was a pause or click before a live person came on the line, which is indicative of automatic telephone dialing systems.
11. On more than one of these answered calls, Streier told Genpact to stop calling her. But Genpact's calls continued.
12. Genpact's calls were not for emergency purposes.
13. Genpact had no basis to believe that it had Streier's prior express consent to use an automatic telephone dialing system to call her cellular phone.

## **JURY TRIAL**

14. Streier requests a jury trial. U.S. CONST. amend. VII. FED. R. CIV. P. 38.

## **CAUSES OF ACTION**

### **Count I – Violations of the Telephone Consumer Protect Act**

15. Genpact placed non-emergency telephone calls to Streier's cellular phones using an automatic telephone dialing system or a device that has the capacity to store or produce telephone numbers to be called using a random or sequential number generator.
16. The calls were made without Streier's prior express consent.
17. Genpact's calls therefore violate the Telephone Consumer Protection Act, 47 U.S.C. § 227(b)(1)(A)(iii).
18. Each of Genpact's calls were a willful violation of the TCPA because Streier never gave Genpact her express consent to call her cellular phone and Genpact had no basis to believe that it had Streier's consent.

## **PRAYER FOR RELIEF**

Streier requests that judgment be entered against Genpact as follows:

1. For an injunction requiring Genpact to cease all communications with Streier that violate the TCPA.
2. Statutory damages of \$500 per call for Genpact's negligent violations of the TCPA.
3. Statutory damages of up to \$1,500 per call for Genpact's willful violations of the TCPA.
4. For other relief that this Court deems appropriate.

**FRIEDMAN IVERSON, PLLC**

Date: May 7, 2015

*s/ Todd Murray*

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**VERIFICATION OF COMPLAINT AND CERTIFICATION**

STATE OF MINNESOTA        )  
                                ) ss  
COUNTY OF REDWOOD        )

Donna Streier, being sworn, states that:

1. I'm the Plaintiff in this case.
2. I've read this complaint prepared by my attorney and I believe that all of the facts contained in it are true, to the best of my knowledge.
3. I believe that this complaint is well-grounded in fact and warranted by existing law or by a good faith argument for the extension, modification, or reversal of existing law.
4. I believe that this complaint is not being brought for any improper purpose, such as to harass the Defendant, cause unnecessary delay, or create a needless increase in the cost of litigation to the Defendant.
5. I've filed this complaint in good faith and solely for the purposes set forth in it.

Date: May 6, 2015

*s/ Donna Streier*

\_\_\_\_\_  
Donna Streier

Subscribed and sworn to before me  
this 6th day of May, 2015

*s/ Jody L. Gewerth*

\_\_\_\_\_  
Notary Public